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*Listing continues on next page*

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

Jenny Lisette Flores., *et al.*,

Plaintiffs,

v.

William Barr, Attorney General of the  
United States, *et al.*,

Defendants.

Case No. CV 85-4544-DMG-AGRx

**CORRECTED JOINT STATUS  
REPORT<sup>1</sup>**

Hearing: None set

[HON. DOLLY M. GEE]

<sup>1</sup> On October 24, 2019, Plaintiffs filed a Joint Status Report [Dkt. # 699] inadvertently including comments on a draft of the Report by Defendants' counsel. The parties respectfully request that the Court issue an Order that the Joint Status Report [Dkt #.699] be removed from the public docket in this case. A proposed Order is filed herewith.

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### Joint Status Report

On June 26, 2019, Plaintiffs filed an *Ex Parte* Application for a Temporary Restraining Order and an Order to Show Cause Why a Preliminary Injunction and Contempt Order Should Not Issue (“*Ex Parte* Application”). [Doc. # 572.]

On June 27, 2019, Defendants filed an Opposition, wherein they requested that the Court deny the request for a temporary restraining order, and set a schedule for briefing these issues that provided Defendants with a full and fair opportunity to respond to the allegations that Plaintiffs lodged against them, or to order the parties to engage in an expedited mediation process in front of the Monitor to address Plaintiffs’ concerns. Opposition at 5–6 [Doc. # 574.]

On June 28, 2019, this Court issued its In Chambers - Order re Plaintiffs’ *Ex Parte* Application for a Temporary Restraining Order and an Order to Show Cause Why a Preliminary Injunction and Contempt Order Should Not Issue (“June 28, 2019 Order”). [Doc. # 576.] The June 28, 2019 Order refers the issues in the *Ex Parte* Application for expedited mediation before the *Flores* Monitor. *Id.* at 3. The Order also required that by July 12, 2019, the parties shall file a joint status report “regarding their mediation efforts and what has been done to address post haste the conditions described in the *Ex Parte* Application.” *Id.*

Further, on July 8, 2019, the Court issued an order by agreement of the parties authorizing the appointment of Dr. Wise as the Monitor’s expert. [Doc. #

1 591.] The Notice sets the following terms and conditions of Dr. Wise's  
2 appointment:  
3

4 [T]he Expert will consult with and assist the Monitor in assessing child  
5 health and safety conditions in facilities operated by Customs and Border  
6 Protection (CBP) and Office of Refugee Resettlement (ORR). The Expert  
7 will advise the Monitor on any remedial steps necessary to bring the  
8 conditions of custody and systems of child health care into compliance with  
9 the law and the Flores Settlement Agreement (FSA).  
10

11 The Expert will assess the health conditions of minors in custody of CBP and  
12 ORR and will, among other things, review and assess demographic and  
13 programmatic data, standards and protocols for child health and safety, and  
14 medical records of children in custody of CBP and ORR. The Expert will  
15 conduct facility inspections, interviews with children and parents in the  
16 custody of CBP and ORR, and meet with responsible Department of  
17 Homeland Security and Department of Health and Human Services officials  
18 and relevant experts and professional organizations.  
19

20 *Id.* at 2.  
21

22 As previously reported, on July 10, 2019, the parties engaged in good faith  
23 mediation conducted by the Monitor. [Doc.# 599]. Dr. Wise was present after  
24 conducting his first visit to the Rio Grande Valley (RGV) Sector. Present for  
25 Plaintiffs were counsel for Plaintiffs and certain of Plaintiffs' experts. Present on  
26  
27  
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1 behalf of Defendants were Defendants' counsel, agency counsel, Dr. David  
2 Tarantino, CBP's Senior Medical Advisor, Henry Moak, CBP's Juvenile  
3 Coordinator, and representatives from U.S. Border Patrol.  
4

5 On August 16, 2019, Dr. Paul Wise's 56-page draft Interim Report was  
6 circulated to all parties by the Monitor. All parties timely submitted comments to  
7 Dr. Wise's draft Interim Report.  
8

9 On September 6, 2019, the Monitor provided the Parties with Dr. Wise's  
10 final Interim Report. Dr. Wise considered the comments provided by all parties in  
11 the final Interim Report. Dr. Wise also provided specific explanatory responses to  
12 the comments received from Plaintiffs, CBP, and HHS.  
13

14 On September 11, 2019, the Parties met and conferred in good faith  
15 mediation conducted in Los Angeles and overseen by the Monitor serving as  
16 mediator. Dr. Paul Wise was present throughout the mediation. All Parties appeared  
17 with counsel and experts.  
18

19 The Parties, Dr. Wise, and the Monitor agreed that Dr. Wise would continue  
20 his review and prior to the next scheduled mediation prepare a more detailed set of  
21 recommendations on the issues Dr. Wise previously addressed in his report, the  
22 Monitor would provide the Parties with copies of Dr. Wise's recommendations, and  
23 the Parties would meet for mediation in Los Angeles on October 17, 2019 to  
24 discuss these more detailed recommendations.  
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1 Pursuant to the agreements mentioned in the previous paragraph, Dr. Wise  
2 continued his review and prepared more detailed recommendations covering a  
3 number of the topics under discussion between the parties.  
4

5 The Monitor provided the Parties with copies of Dr. Wise's  
6 recommendations, and on October 17, 2019, the parties met and conferred in good  
7 faith mediation conducted in Los Angeles and overseen by the Monitor serving as  
8 mediator to discuss these more detailed recommendations. Dr. Paul Wise was  
9 present throughout the mediation. All Parties appeared with counsel and experts.  
10 The parties believe progress towards a settlement was made at this mediation.  
11

12 The parties agreed that by November 22, 2019, Defendants shall submit to  
13 the Monitor and serve on Plaintiffs a written proposal for settlement of the *Ex Parte*  
14 Application taking into account Dr. Wise's reports and issues discussed at the  
15 mediation.  
16

17 The parties agreed that by December 11, 2019, Plaintiffs will file with the  
18 Monitor and serve on Defendants a written response to Defendants' proposals for  
19 settlement of the *Ex Parte* Application.  
20

21 The parties agreed that on January 14, 2020, at 9 AM, they will meet with the  
22 Monitor for mediation in Los Angeles to discuss their proposals for settlement of  
23 the *Ex Parte* Application.  
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25 The parties agreed that the Monitor will continue to perform her ongoing  
26 responsibilities throughout this period.  
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**CERTIFICATE OF SERVICE**

I, Peter Schey, declare and say as follows:

I am over the age of eighteen years of age and am not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 256 S. Occidental Blvd., Los Angeles, CA 90057, in said county and state.

On October 24, 2019 I electronically filed the following document(s):  
JOINT STATUS REPORT  
with the United States District Court, Central District of California by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/Peter Schey  
*Attorney for Plaintiffs*